

Technical Issues Committee (TIC)
Meeting Notes
6 December 2005

Attendees:

Claus Suverkropp, Larry Walker and Associates
Dan Waligora, Department of Fish and Game
Dana Thomsen, Central Valley Regional Water Quality Control Board
Dania Huggins, Central Valley Regional Water Quality Control Board
Dave Crane, Department of Fish and Game
Diana Messina, Central Valley Regional Water Quality Control Board
Dr. Karl Longley, Central Valley Water Board
Elaine Archibald, Archibald Consultants
Dr. G. Fred Lee, G. Fred Lee & Associates
Keith Larson, Turlock Irrigation District
Mike Johnson, UC Davis
Mike Niemi, Modesto Irrigation District
Melissa Morris, Central Valley Regional Water Quality Control Board
Wendy Cohen, Central Valley Regional Water Quality Control Board
Jay Rowan, Central Valley Regional Water Quality Control Board
Jim Atherstone, South San Joaquin Irrigation District
John Swanson, Central Valley Regional Water Quality Control Board
Marshall Lee, Department of Pesticide Regulation
Matt Reeve, CA. Department of Food and Agriculture
Leticia Valadez, Central Valley Regional Water Quality Control Board
Bill Thomas, Southern San Joaquin Water Quality Coalition
Bill McKinney, East San Joaquin Water Quality Coalition
Margie Lopez Read, Central Valley Regional Water Quality Control Board
Stephen Clark, Pacific EcoRisk
Sandy Nurse, Sierra Foothill Laboratory
Tom Stephens, Merced Irrigation District
By phone: Lenwood Hall, University of Maryland

Opening Remarks:

Dr. Karl Longley described his current role as chair for the TIC meetings, and proposed the idea of contracting with a professional facilitator to continue to conduct TIC, as well as PAC meetings. Some attendees agreed that an impartial facilitator and not a Central Valley Water Board staff is more appropriate for the group. There was a concern that it would mean that Dr. Longley would no longer participate. Dr. Longley said that he could still attend to the meetings; however, when a noticed Board agenda item would need to be discussed he will have to leave the meeting.

I. DEVELOPMENT OF GROUND RULES

Dr. Longley introduced the potential ground rules for the TIC meetings. The meeting participants did agree with the rules. Although, for rule number eight it was suggested

that could be stated in a more positive tone, as Agree to Agree instead of (or in addition to) Agree to Disagree. Ground Rules will be posted at all future TIC meetings.

II. ANNOUNCEMENTS

- A. Margie Lopez Read pointed out that meeting handouts included the ‘Sacramento and San Joaquin River Watersheds Pesticide Basin Plan Amendment Fact Sheet’ that has been developed by the Central Valley Water Board TMDL Program. It references a study that is being conducted for the Water Board by UC Davis, which will include a ‘relative risk’ evaluation of pesticides, used in the Central Valley. If the TIC would wish, it will be possible to have the TMDL Program come to a TIC meeting and make a presentation on the study at some point in the future.
- B. Jay Rowan, gave a brief summary of a propose project in which the State Water Resources Control Board Non-Point Source Program (NPS) is involved. The main purpose of this project is to conduct a two-year study that will include a meta-analysis of existing Central Valley datasets, identify and fill data gaps with supplemental monitoring, and develop an interpretive index for stream condition assessments in the Central Valley. This index will effectively create a measuring tool that can be utilized to determine changes in stream condition associated with agriculture and other land uses. If the study is funded, one concern is the access to property.

After Jay Rowan’s brief summary, Bill Thomas indicated that if access to property is an important component of the success of the study, as soon as the protocol is developed it could be share with the coalitions leads and water districts. This first step will help with the access to property concern.

III. PROCESS FOR MRP RECOMMENDATIONS

A question was raised regarding the process for utilizing TIC recommendations to influence the outcome of the MRPs. Dr. Longley explained that TIC objective is identified issues and work towards recommendations. As long as all the issues are discussed with a science basis with consensus, final recommendations will be presented to the Executive Officer. Although economic constrains always will play an important role in these recommendations, Dr. Longley emphasized that the science basis should not be compromised by economic constrains. It would be possible to discuss technical issues with a view for economics, as long as consensus could be achieved.

In summary, the proposed process is for TIC Focus Groups to work on specific recommendations for the topics of concern. Focus Group recommendations will be presented to the entire TIC at regularly scheduled meetings to determine if there is a consensus from the group and confirmed recommendations. The TIC recommendations will then be proposed by the TIC to Central Valley Water Board staff. All recommendations that Central Water Board staff can confirm as reasonable, feasible, protective of water quality, and not in violation of State or federal law will be drafted into an MRP and provided to the Executive Officer.

The meeting attendees discussed the various topics and developed a timeline to address them at future meetings. It was noted that in order to have an MRP approved by the Board in June, that all recommendations must be provided to the Central Valley Water Board staff in March. This will allow for the required amount of time for public review and comment. It may be that the draft MRPs will not go to the Board, and solely be approved by the Executive Officer. However, TIC attendees decided to try to achieve a schedule of final recommendations by March, if at all possible. With that in mind, the schedule for TIC discussion of topics was put together by meeting attendees (attached).

The first meeting in January (**24 January**) will be scheduled for a full day, with presentations from Central Valley Water Board staff on the draft MRPs for water districts and for coalitions. The purpose of the presentations will be to provide the TIC members with information regarding the rationale behind the requirements that are spelled out in the draft MRPs. It will be necessary to have a clear understanding of policy issues as opposed to technical issues. The purpose of the TIC is to make recommendations regarding technical issues and not policy. This distinction will be discussed in more detail at the January meeting.

It was also recommended to web-post the TIC Meeting Minutes Notes only after they are presented and approved at the following TIC meeting. After the members agree with the notes, these can be posted on the website.

IV. OTHER TOPICS

A. Minimum Monitoring Requirements

It was necessary to clarify the difference between the Tables that are used in the waiver renewal documents and the draft MRP documents. Wendy Cohen described the difference between the Table 1 that is included in the Waiver Renewal Documents, which describes the Basin Plan limitations that are legal requirements for water quality, and the Table 1 in the draft MRP, which describes Minimum Monitoring Requirements. The TIC will be targeting the Minimum Monitoring Requirements table in their discussions, and recommendations.

B. Municipal Beneficial Use Designation

It was indicated by Steven Clark that clarification regarding the municipal beneficial use is needed, in particular when drinking water quality standards are been applied to some the current monitoring sites. There should be a site designation that indicates how a particular site or area will fall in this category. Wendy Cohen clarified that in the Basin Plan, any Water of the State without specific designation is given MUN as a beneficial use. However, this explanation goes back to what is “Water of the State” and this will be considered a policy issue rather than a technical issue for TIC discussion. Wendy Cohen also explained that this issue was already clarified and resolved by the Central Valley Water Board by approving the beneficial uses and tributary role proposition.

C. Water Districts

Tom Stephens spoke on behalf of Merced Irrigation District as well as four other irrigation districts (Modesto, Oakdale, South San Joaquin, and Turlock) that have filed as Individual Dischargers. These Irrigation Districts have some concerns that parallel those raised by the coalition groups, such as the list of constituents from Table 1 and upstream monitoring. But the Irrigation Districts also have other concerns that are unique to them. Some of these include: 1) they will be conducting the same monitoring that coalition groups are doing, while their systems are completely different; 2) their customers will be paying twice for the Irrigated Lands Program because they will pay as a coalition member and also pay the Water Districts as the cost of extra monitoring by the water districts is passed on to their irrigation customers.

It was suggested by Central Valley Water Board Staff that the water districts concerns with regards to policy issues should be discussed in a separate meeting, which will involve staff and the water districts only. A meeting was tentatively scheduled for **12 January 2006** to discuss water district policy issues.

D. Nutrients Focus Group

It was decided that the Nutrients Focus Group does have issues that it needs to be discussed, but primarily the assessment of the nutrient monitoring data after it has been collected. These issues do not directly affect the recommendations for the draft MRP, therefore the Nutrients Focus Group efforts will be postponed until Spring 2006.

E. Closing Discussion

The meeting ended with participation of the members in the organization of the list of topics to be discussed during the next few TIC meetings (see attached TIC meeting schedule).

**DRAFT SCHEDULE OF MRP TOPICS
TECHNICAL ISSUES COMMITTEE MEETINGS
JANUARY through MARCH 2006**

MEETING 1 TENTATIVE DATE, January 24, 2006

A. PRESENTATION BY WATER BOARD STAFF

1. Draft Coalition and Water District MRPs – description by staff of rationale for changes made since August Order RB5 2005-0833, such as:
 - Difference between Policy and Technical Issues
 - Compliance monitoring language in draft MRP
 - Guidelines for electronic data submittal
 - Long term monitoring strategy
 - Tentative Order Table and Monitoring Requirements Table
2. Draft Coalition and Water District MRP Table 1 – to be revised by staff (correct errors only) and remaining issues identified, possibly to include:
 - List of method numbers to be more inclusive
 - Performance based methodology or method equivalents
 - Nutrients table renamed to ‘other toxicants’
 - Need for identification of unknown peaks/submission of chromatograms with unknown peaks, etc.
 - Re-evaluate the PQLs that are being requested based on lab capabilities
 - Bacteriological contaminants and beneficial use designation

B. TENTATIVE FOCUS GROUP RECOMMENDATIONS ON THE FOLLOWING:

1. Triggers for resampling and timing of resampling
2. Type of contaminants that require re-sampling
3. Compliance monitoring (2 upstream, timing, etc)
4. Process for factoring in magnitude and set priorities for resampling
5. Other means to identify source (eg: PUR database)
5. Upstream sampling in Irrigation season only (not in storm season)
6. Practicality of a forensic approach and upstream monitoring
7. Trigger to initiate storm event monitoring

MEETING 2, February 14, 2006

TENTATIVE FOCUS GROUP RECOMMENDATIONS ON THE FOLLOWING:

1. Electronic data submittal (format and comprehensiveness)
2. Laboratory raw data submittals – what is necessary
3. Timing of submittal for various technical reports (eg: exceedances reports)
4. Response/submittals for unidentified peaks
5. Exceedance Report timelines for field monitoring data
6. Phased approach and long term monitoring strategy

7. Evaluation of contaminants to be monitored – including flow, load, bacteriological contaminants

MEETING 3, March 14, 2005

TENTATIVE FOCUS GROUP RECOMMENDATIONS ON THE FOLLOWING:

1. Added language to allow time for dischargers to revise MRP Plans
2. Discussion of options for aerial photos
3. Discussion of signatory responsibilities and penalty of perjury, etc.